

Period IIIV.

EQUAL RIGHTS

"MEN AND WOMEN SHALL HAVE EQUAL RIGHTS THROUGHOUT THE
UNITED STATES AND EVERY PLACE SUBJECT TO ITS JURISDICTION"

Amendment to the United States Constitution now before Congress.

The Status Of Women Under The Constitution

By EDITH HOUGHTON HOOKER

Position Of Women In Hinduism And Vedicism

By BHAGAT RAM

Mexican President Asks Justice For Women

November 1, 1937

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Equal Rights



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NATIONAL WOMAN'S PARTY

OBJECT

To secure for women complete equality with men under the law and in all human relationships—in particular to secure the adoption of the Equal Rights Amendment to the Constitution, and the adherence of the United States to the Equal Rights Treaty. The Woman's Party also supports the proposed Equality Amendments to the Covenant of the League of Nations.

THE PROPOSED EQUAL RIGHTS AMENDMENT

"Art. 1—Men and women shall Equal Rights throughout the United States and every place subject to its jurisdiction."

"Art. 2—Congress shall have power to enforce this article by appropriate legislation."

Introduced

Senate—By Senator Townsend (Del.), and Senator Burke, (Neb.), Feb. 5, 1937, (Senate Joint Resolution No. 65).

House—By Representative Ludlow, (Ind.), Jan. 5, 1937, (House Joint Resolution No. 1).

Present Status

Senate—Before Judiciary Committee; favorable report by sub-judiciary committee June 23, 1937.

House—Before Judiciary Committee; favorable report by sub-judiciary committee June 16, 1937.

THE EQUAL RIGHTS TREATY

"Art. 1—The contracting States agree that upon the ratification of this Treaty men and women shall have Equal Rights throughout the territory subject to their respective jurisdictions."

Signed

By Cuba, Ecuador, Paraguay, and Uruguay, at Montevideo, December, 1933.

PROPOSED EQUALITY AMENDMENTS TO COVENANT OF LEAGUE OF NATIONS

"The members of the League undertake that in their respective countries the right of vote shall not be denied or abridged on the ground of sex."

"The members of the League undertake that in their respective countries there shall be no distinction based on sex in their law and practice regarding nationality."

"The members of the League undertake that in their respective countries men and women shall have equal rights in all other fields."

"The members of the League undertake that there shall be both men and women, with full voting powers, in all delegations to the Council and Assembly of the League and to all Conferences under the auspices of the League."

Present Status

On agenda of the September, 1937, Assembly of the League of Nations.

The Status Of Women

THE Status of Women in the United States today is in the hands of women themselves. They have it in their power to fix their status in the Constitution by placing in it the Equal Rights Amendment, and as long as that document of human liberty endures and contains the Amendment, their position under law will be secure.

Against great odds women were successful in securing the vote. Armed with the ballot there is now no reason why they cannot complete their fight for equality. As for the traditional prejudice of sex, there is nothing that so effectively combats and overcomes that prejudice as to see equality between the sexes actually in operation. Many of us remember the fears expressed before women were enfranchised. If they were given the ballot it was said they would become masculine, give up their homes and devote their time to voting. It was predicted that chivalry would disappear. Polling places were described as spots of iniquity unfit for women. That was seventeen years ago. What has become of the prejudice? Actuality revealed the fact that the fears were not only unfounded but ridiculous.

The argument now is that women need protective laws. A position on a so-called pedestal that interferes with the right of a woman to earn a living, manage her own property, have equal guardianship of her children and an equal share in the government she is taxed equally with men to support, is not a position to be coveted. They still talk chivalry. Chivalry is not created by law, nor destroyed by law. It blooms in finer clay and is found among the poorest and among the richest. It will always be found here and there, and those who possess it could no more cast it off than they could change the color of their eyes. It is a part of them. It has nothing to do with law. It is a most becoming ornament to those who wear it.

The veneer that sometimes passes for chivalry is only superficial, and should it be lost to women, they would lose nothing *real*. The loss would be to the men who cast it off, for it is like a paste diamond that is decorative even though imitation. If women must choose between a seat in a street car or a doffed hat in an elevator and a right to earn a living, there is but one choice.

The doors of colleges, professions, businesses and even the lower paid jobs were opened to women through the courageous efforts of a few pioneers, who encountered the opposition of many men and women, steeped in the tradition that taught them that women were inferior beings and that justice belonged to men by divine right. Women of today should take a look at that page of history and ask themselves whether or not they desire to help pioneer in opening still other doors to women by securing equality, or to accept the benefits won by the efforts of others. In the not distant future, those who oppose equality now will have no pride in that opposition. It will appear as a hangover from the Dark Ages.

If every woman who believes in the Equal Rights Amendment will do her part *now* and communicate with members of Congress from her own state asking them to support the Amendment in this session of Congress, she will be helping to raise the Status of Women in the United States, and will be fighting not only her own battle but that of posterity.

Women and men who blaze the trail of equality now will have no apologies to make to future generations for short-sightedness and inability to analyze facts.

Position Of Women In Hinduism And Vedicism

By Bhagat Ram

THE following few extracts are taken from the Hindu Law which is applied to all Hindus as their Personal Law in matters of succession, inheritance, marriage, adoption, wills, and other family relations, subject to such alterations as have been made by legislative enactment. The three main sources of Hindu Law are: (1) the *Shruti*—words of the Hindu deity; (2) the *Smriti*—traditions as handed down by the ancient sages; and (3) *Customs*.

The Hindu Law was at first administered by English judges with the assistance of Hindu pundits. The institution of pundits, as official referees of the courts, was abolished in the year 1868. Afterwards the courts took upon themselves the duty of expounding the law.

From the extracts given below, the reader can well form his or her own opinion as to how the Hindu system of law condemns females to perpetual serfdom.

Here are the extracts:¹

Re MARRIAGE

1. A Hindu may marry any number of wives, although he has a wife or wives living (S. 348).

2. A woman cannot marry another man (S. 349). Even the death of the husband does not set the wife free to re-marry, but this has been over-ruled by the Legislature (Act XV of 1856).

3. Hindu marriage is considered a sacrament in idea, but not in fact, and not in result. It is very strange that such a union could be put to an end at any time by the husband, though not by the wife. Thus the results of Hindu marriage are serious to the woman. [But when there is discord and lack of sympathy in the home, why should not the wife have the same privilege of leaving the husband as he has of leaving her?—B. R.]

4. Baudhayan (a lawgiver *rishi*) even justifies divorce on the part of the husband: "Let him abandon a wife who does not bear children, in the tenth year; one who bears daughters only, in the twelfth; one whose children all die, in the fifteenth; but her who is quarrelsome, without delay."

Re STATUS OF WOMEN

1. Narad (a *smriti-kar rishi*) says: "He who, having received a sum lent or the like, does not repay it to the owner, will be born hereinafter in his creditor's house as a slave, a servant, a woman, or a quadruped."

2. Manu (the great Hindu law-maker, who is considered as the first expounder of Vedic texts, and whose rules are generally observed to the letter to this very day) says: "A wife, a son, and a slave are devoid of property. Whatever they acquire becomes his whose they are" (Manu VIII, 416).

3. Baudhayan says: "Let no man lend anything to women, to slaves, or to children."

4. The *Ramayan*, one of the sacred scriptures, enjoins: "Drums, peasants, the depressed, animals and women—all these ought to be kept under iron sway" (Sundar Kand, 5).

5. Manu says: "Day and night must women be held by their relatives in a state of dependence—their fathers protect them in childhood, their husbands pro-

tect them in youth, their sons protect them in old age: a woman is never fit for independence" (XI, 2, 3). Throughout her life, she is a mere creature of dependence at the mercy of others—whether good, bad or indifferent.

6. Defining a virtuous wife, Manu says: "Him to whom her father has given her, let her honour. . . . Though ill-behaved, though in love with another woman, or devoid of good qualities, yet a husband must be constantly revered as God by a virtuous wife" (Ch. V, 154).

7. Manu condemns a woman, howsoever good or noble she may be, to the same level as her husband. He says: "Whatever the qualities of the man with whom a woman is united in marriage, such qualities she assumes, as a river united with the sea" (Ch. IX, 22).

8. Baudhayan says: "Women are devoid of the senses, and incompetent to inherit."

Re STRIDHAN (WOMAN'S PECULIUM)

1. The law of Stridhan is the most difficult as it is the least settled branch of Hindu Law. It is a topic on which lawyers often fight tooth and nail (Dr. Gour—S).

Re THE PRIVILEGE OF RELIGIOUS FREEDOM

1. As to the religious freedom of women, Manu says: "No sacrifice, no vow, no fast must be performed by women apart from their husbands. If a wife obeys her husband, she will for that reason alone be exalted in heaven" (Ch. V, 155). [Freedom of religion is as much a primary need and a common possession of human beings as air, light, water and food; but that is denied to Hindu women.—B. R.]

WHO MAY GIVE A GIRL IN MARRIAGE

1. The right of giving a girl in marriage is in the order mentioned: first, the father; secondly, the paternal grandfather; thirdly, the brother; fourthly, other paternal relations; and fifthly, the mother. [Thus the mother has the last right to give her daughter in marriage.]

Re MAINTENANCE

1. The maintenance of a widow is not a charge upon the estate of her deceased husband, until it is fixed and charged upon the estate by decree of court or by agreement. Hence a widow's right to receive maintenance is one of an indefinite character (S. 475).

2. The widow takes only a limited interest in the property of her husband, called the widow's estate. She is entitled only to the income of the property inherited by her. She has no power of disposal of the *corpus* of the property (S. 42/4). On her death, the estate goes not to her heirs, but to the next heirs of her husband (technically called reversioners). (Ss. 142, 144.)

3. A Hindu is bound to maintain his illegitimate sons also (S. 457a). But it is very strange that there is no provision in Hindu law for the maintenance of such daughters; though they are entitled to claim maintenance from the father under Section 488 of the Criminal Procedure Code (S. 458).

(Continued on Page 159)

¹Taken chiefly from Principal Mulla's Hindu Law, as well as Dr. Gour's edition of The Hindu Code.)

The Status Of Women Under The Constitution

THERE are approximately one thousand laws on the statute books of the various States that discriminate against women. These laws operate in almost every sphere of human activity, and have been classified by the Inter American Commission of Women in a public document entitled, "A Comparison of the Political and Civil Rights of Men and Women in the United States." (74th Congress, second session . . . Senate Document No. 270).

The legal discriminations against women vary in the different States as to their scope and importance, but are everywhere existent. In 40 States the services of the wife in the home belong to the husband, and usually he alone can sue for damages for injury to her. Damages even for the pain and suffering of the wife are, in several States, awarded to the husband. In six States the father is the sole natural guardian of the child when the parents are living together, and in fifteen States he has exclusive rights to the services and earnings of the minor children. In four States women are denied the right to hold certain public offices, as in Oklahoma where the State Constitution provides that the governor, the lieutenant governor, the secretary of state, the state treasurer, the superintendent of public instruction, state examiners and state inspectors must be male citizens. In twenty-one States married women are denied equal contractual rights with men. This discrimination often has serious effects upon women as property holders. In the community property States, the husband usually has sole legal control of the property, with certain restrictions as to transferring real estate. In 25 States women are disqualified as jurors. In thirty States the divorce laws discriminate against women.

Women are prohibited from engaging in certain occupations in twenty-six States, as in Ohio, where women are barred from employment as a crossing watchman, express driver, gas and electric meter reader, moulder, jitney driver, bellhop, worker in blast furnaces, shoe-shining parlors, bowling alleys, pool rooms, public drinking places catering to male customers, delivery services on wagons or automobiles, baggage handling, freight handling, etc. Women's right to engage in the gainful occupations is seriously hampered in most of the States by special restrictive laws as to hours, night work or minimum wages, from which their male competitors are exempt.

The consistent discrimination against women under the laws is directly traceable to the difference in the status of men and women in respect to the Constitution of the United States. When the Constitution was drafted in 1787, neither women nor negroes were regarded as persons in the eyes of the law. After the Civil War the status of the male negro was elevated to that of a person and citizen by virtue of the adoption of the XIII, XIV and XV Amendments. These Amendments were specifically designed to emancipate and enfranchise the men of the negro race, but were not intended to emancipate or enfranchise white women.

In *Minor vs. Happerstett*, 88 U. S. 162, the Supreme Court held that women were not entitled to vote under the Constitution, although negro men had been voting for some years before the case was heard. In 1872

"DEAD HAND OF THE PAST WITHHOLDS FROM WOMEN THEIR CONSTITUTIONAL GUARANTEES"

By Edith Houghton Hooker

Susan B. Anthony was tried and found guilty of illegal voting after she had cast her ballot, claiming the right to do so under the Constitution. In 1869 Myra Bradwell asked the Su-

preme Court to compel the State of Illinois to admit her to the practice of law. The Court refused, saying that the right to be recognized as an attorney was not one that the Constitution guaranteed to women (*Bradwell vs. Illinois*, 83 U. S. 139). The Court had previously held that to prevent a man from practicing, on insufficient grounds, was a breach of his constitutional rights (*ex parte Garland*, 71 U. S. 333). In 1879 (*Strauder vs. West Virginia*, 100 U. S. 303), the Supreme Court ruled that it was unconstitutional for a State to bar negro men from jury service, because such disbarment would brand them as belonging to an inferior class of citizens, be an insult to their citizenship, and deny them the equal protection of the laws guaranteed under the Constitution. In *Neal vs. Delaware*, 103 U. S. 370, the Supreme Court held that the adoption of the XV Amendment rendered inoperative the provisions in the Constitution of Delaware whereby the right of suffrage was limited to the white race, and that the exclusion of Negro men because of their color, from the jury list, was a violation of the constitutional rights of the negro.

In 1932, however, in the case of *Welosky vs. the Commonwealth of Massachusetts*, women were denied the right of jury service under the Constitution, on the ground that they were not "persons in the eyes of the law." The Massachusetts jury statute defines eligible jurors as "persons qualified to vote for representatives to the General Court." This statute was re-enacted in 1923, three years after women secured the right to vote under the XIX Amendment, and women had been voting for 3 years for representatives to the General Court when the Massachusetts Court of Appeals handed down its decision. The case was carried to the Supreme Court of the United States, which refused to hear the brief, thereby upholding the decision of the Massachusetts Court of Appeals. In this connection the Massachusetts court stated that the intention of the framers of the Constitution must be considered in its interpretation, thereby affirming a principle laid down by the Supreme Court in an early decision as follows: "The interpretation of the Constitution of the United States is necessarily influenced by the fact that its provisions are framed in the language of the English Common Law and are to be read in its history." (*Smith vs. Alabama*, 124, U. S. 465). Under the English Common Law women were not persons in the eyes of the law, but occupied a position similar to that of a child or a chattel.

In 1787, when the Constitution was written, the rights of women were practically non-existent. No woman could vote, hold public office, enter the higher institutions of learning, or enter the professions. The married woman was a legal nonentity, her identity being merged with that of her husband, for according to Blackstone, husband and wife were one, and that one was the husband. Prior to the middle of the last century, a married woman could not own property, make a will, sue or be sued, or make a contract. Her husband could legally deprive her of her liberty, and beat her, provided the stick used was "no larger than

his thumb." The money which her husband received through her he could will away, as he could also the guardianship of her children.

During the past century and a half a veritable revolution has taken place in the status of women under statutory law, but there is no evidence of a fundamental change in the supreme law of the land, save in respect to the franchise. The very fact that it was necessary to add the Woman Suffrage Amendment to the Constitution in order to achieve the enfranchisement of American women, is sufficient evidence that women are not persons in the eyes of the law. The XIV Amendment states specifically: "All persons born or naturalized in the United States are citizens of the United States and of the State wherein they reside," and the XV Amendment states: "The right of the citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or previous condition of servitude." If women had been persons and citizens in the eyes of the law in 1920, they would have been able to vote without the adoption of the XIX Amendment. In 1915, in the case of *Mackenzie vs. Hare*, 239 U. S. 299, the Supreme Court ruled that: "The identity of husband and wife is an ancient principle of our jurisprudence," and under this ruling held that a law which expatriated an American-born woman because of her marriage to a foreigner was constitutional despite the specific provisions of the XIV Amendment. In *Mueller vs. Oregon* (208 U. S. 312) the Supreme Court upheld an Oregon law providing that no female should be employed in any mechanical establishment or factory for more than 10 hours in one day, although it had previously held unconstitutional a similar law applying to men (*Lochner vs. People of New York*, 198 U. S. 45). Similar laws, applying to women only, have been upheld in later cases by the Supreme Court. (*Riley vs. Massachusetts*, 232 U. S. 671; *Miller vs. Wilson*, 236 U. S. 373; *Bosley vs. McLoughlin*, 236 U. S. 385).

In 1923, on the heels of the enfranchisement of women, the Supreme Court altered its stand and declared the Minimum Wage Law for women only in the District of Columbia to be unconstitutional, saying: "We cannot accept the doctrine that women of mature age, sui juris, require or may be subjected to restrictions upon their liberty of contract which could not lawfully be imposed in the case of men under similar circumstances." (*Adkins vs. Children's Hospital*, 261 U. S. 525). However, the old doctrine was reverted to in 1924 when a law forbidding women to work in certain occupations between 10 in the evening and 6 in the morning was upheld. (*Radice vs. People of State of New York*, 264 U. S. 292).

In 1926 the Supreme Court in ruling the New York State Minimum Wage Law to be unconstitutional said: "Any measure that deprives employers and adult women of freedom to agree upon wages, leaving employers and men free to do so, is necessarily arbitrary.

"While men are left free to fix their wages by agreement with employers, it would be fanciful to suppose that the regulation of women's wages would be useful to prevent or lessen the evils listed in the first section of the Act.

"Men in need of work are as likely as women to accept the low wages offered by unscrupulous employers. Men in greater numbers than women support themselves and dependents and because of need will work for whatever wages they can get and that without regard to the value of the service and even though the pay is less than minima prescribed in accordance with this Act.

"It is plain that, under the circumstances such as those portrayed in the 'factual background' prescribing of minimum wages for women alone would unreasonably restrain them in competition with men and tend arbitrarily to deprive them of employment and a fair chance to find work."

Despite this ruling the Supreme Court in March, 1937, declared the Washington State Minimum Wage Law for women only to be constitutional.

Arbitrary laws, applying only to one group of persons, is in the case of men easily recognized as being unconstitutional, but in the case of women the situation is not clear. The framers of the Constitution and the framers of the XIV and XV Amendments did not envision women as "persons" and "citizens" and their viewpoint must still be taken into consideration by the Supreme Court.

The only way out of the dilemma is through a clarifying Amendment that will define the meaning of the words "person" and "citizen" as they appear in the Constitution.

As a result of the fundamental changes that have taken place in the status of women during the past 150 years, current usage requires that the words "person" and "citizen" shall be interpreted as embracing both sexes.

To bring the Constitution of the United States up to date it is essential that this modern concept of women be specifically written into the Constitution. The dead hand of the past withholds from women their constitutional guarantees. Only by "the adoption of a clarifying Amendment," the Equal Rights Amendment, can women achieve the status of persons and citizens in the eyes of the law.

Irish Women Aroused

In the Irish Free State, joint deputations, indignant speeches, fiery interviews, and a torrent of protesting letters have enlivened matters here. The women are up in arms against certain aspects of the new Draft Constitution. At the proclamation of the Republic in 1916 and in the Constitution of Saorstát Éireann in 1923, men and women were regarded as citizens of equal status and possessed of equal rights and opportunities.

According to the new Constitution, women will be dispossessed of such status, and certain proposed clauses, taking note of "difference" in physical, moral and social capacities, suggest that women should be "protected" in a manner unthought of for men. The women of Ireland are united in their indignation. They are determined to leave no stone unturned in the effort to prevent their sex from being written into the new Constitution as inferior.—Phyllis M. Lovell, London, England, in the *Christian Science Monitor*, October 6, 1937.

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GERTRUDE I. GEORGE, Chairman for Equal Rights Petition, Western Region—Director Business Woman's Legislative Council of California; secured 148,000 signatures for Equal Rights Amendment petition for California alone.

Judge Praises Women Jurors

Women are less cynical than men and therefore make better jurors, said William Clark, Senior Judge of the United States District Court of Newark, addressing yesterday afternoon a meeting of the New York City Committee of the National Woman's Party in the Hotel Wellington.

Judge Clark was the first judge to call women on Federal juries in New Jersey. He recently appointed the first woman jury commissioner in the United States. He spoke to some fifty prospective women jurors on "What a Judge Expects of a Jury."

"I would like to have as many women as possible on jury duty," said Judge Clark, asserting that they were better qualified than men because they were more high-minded and idealistic. Not having had to go out in the world and fight their way, he said, women are less inclined to be cynical.

He warned the prospective jurors that they should have no illusions of the members of the bar before them, declaring that, particularly in the metropolitan areas of the United States, "the caliber of members of the bar has fallen off." Too many lawyers, he said, are not interested in abstract truth but solely in what their clients want.

Ultimately, Judge Clark predicted, the courts will depart from the "adversary system" and instead, after the cases have been presented, the judge will conduct his own litigation, himself rather than the lawyers asking the questions.

Others who spoke at the meeting included Miss Natalie Couch, who as a lawyer spoke on "What a Lawyer Expects of a Jury," and Miss Anita Pollitzer, vice-chairman of the National Woman's Party, who spoke on "What Women Want."—*New York Times*, October 23, 1937.

The Book Shelf

KATRINA

Katrina. By Sally Salminen. Farrar & Rinehart, Inc.

Reviewed by INEZ HAYNES IRWIN

The creation of *Katrina* by Sally Salminen presents an interesting problem, both to the novelist and the feminist. Sally Salminen was born and brought up in the Aland Islands. To those whose geography is weak, the Aland Islands are situated where the Gulf of Bothnia joins the Baltic Sea. Her mother, a Swede, her father, a Finn, Sally was the ninth of twelve children. When she grew up she went to Sweden, where she worked as a servant and a shop girl. In 1930, she came to America, where also she went into domestic service. After five months' work, she wrote *Katrina*, sent it to Helsingfors as an entry in the Helsingfors Prize Novel Contest. Unanimously the judges chose it as the winner. It has been published in nine countries.

Sally Salminen is still a girl.

Now such a life is of course perfect grist to the feminist mill. Here was a woman who, against every obstacle of poverty, lack of education, atmospheric encouragement, made herself a world figure in an art which requires an intensive cultivation of its own peculiar kind.

The hero of *Katrina* is a woman. But did Sally Salminen choose a woman who like herself—to use Thoreau's amazing phrase—"drove life into a corner?"

No, *Katrina* is quite the opposite type. Brought up by well-to-do peasant parents, a belle in her community, although like all the women of her class, a hard worker in the fields, she marries a charming ne'er-do-well and goes with him to his home in the Aland Islands. Here one has to admit a premise that one finds it hard to swallow. *Katrina* never sees, never even communicates with her people again. Her husband takes her to a ramshackle cabin and there, she bears him four children. He is a sailor by profession and leaves her every winter. In the meantime, she exists, working like a horse in the fields, bearing her children, nursing them, cooking and mending for them. Two die and finally the husband dies. The two surviving sons make good and substantial citizens of themselves. And *Katrina* is left in the same little cottage—much more comfortable now—to which her husband had brought her many years before. She dies there longingly only for one thing, her reunion with him.

No, in no sense did *Katrina* "drive life into a corner." She made terms with it all along the line, compromised with it at every turn. Looking at *Katrina's* life from the comparative freedom that the American woman enjoys, it seems—except for the production of those two stalwart sons—a complete failure. Nowhere along the line of her hard-working existence did *Katrina* know happiness, except that minor happiness—satisfaction rather—which comes from doing each difficult duty well.

The feminist must look at this book and marvel. For she will see in it a picture of the lives of incalculable millions of women. Women who have lived and died competent work horses, sturdy brood mares—and not much more.

Filipino Women Candidates

The general election scheduled for December 14, in which Filipino women will vote for the first time, will see two women running for provincial governorships and a third for a mayorship, according to certificates of candidacy filed with the Department of the Interior.

Mrs. Cristina Aguinaldo Sunatay, youngest daughter of General Emilio Aguinaldo, leader of the insurrectionists against the United States in 1898-1900, is seeking the governorship of Cavite Province. She claims the solid support of the Young Philippines party, composed of young men and women, mostly graduates of Manila universities and colleges.

Mrs. Juliana Castro, a prominent clubwoman of the Ilocos region, is seeking the governorship of Ilocos Norte Province. She is affiliated with the new Nationalist party which resulted from the recent coalition of the Quezon-Osmena parties. Mrs. Eulalia de Leon, of a wealthy Bulacan family, is running for mayor of the town of Baliuag.

Enthusiasm over their new voting privilege is apparent among women throughout the Philippines. Some have announced intention of seeking seats in the National Assembly at the election scheduled next year.—*New York Herald Tribune*, September 28, 1937.

One Dollar Fund

A Woman's Party Founder has started a One-Dollar-Fund, a contingent fund for which there is great need immediately and to which everyone interested is urged to contribute. It will make possible much necessary work that otherwise could not be undertaken at this time and will pay great dividends to women of the nation who will benefit through passage of the Equal Rights Amendment with its guarantee of equality.

Mexican President Asks Justice For Women

"I MUST also speak to your honorable body on the necessity existing for reforming the Code of the country in a more adequate manner in order that women, an integral half of Mexican society and citizenship, may be rehabilitated as is their due and in accordance with the dignity of a people which has raised the banner of social justice on which stand inscribed all rights, and yet the law permits women to be relegated to a political plane of inferiority by denying them the most important of all civic rights: the vote. This situation is all the more unjust when we consider the fact that in the sphere of family relations, in the matter of work and business capacity, revolutionary legislation has always tended to establish an absolute juridical equality between both sexes. It is our duty to correct this mistake of the past in order to integrate our nationhood, in order to consolidate our citizenry, and in order to lay solid foundations for the evolution of our country.

"Concerning this theory of complete equality under discussion, there are arguments more fictitious than real against this effort for intrinsic justice, since those who regard woman as a factor propitious to conservative ideas, to ideas of fanaticism and to backward tendencies forget that Mexican women have been participating for many years in the nation's struggle to a very considerable degree in both quality and quantity, and that frequently when our egotism permitted it, we have seen them take part in the most dangerous activities in the most open expression in favor of the most advanced ideas.

"While the detractors of her capacity call woman ignorant, unprepared, and immature to decide the

URGES MEXICAN CONGRESS TO TAKE NECESSARY STEPS TOWARD GIVING WOMEN EQUALITY WITH MEN

Section of President Cardenas' message to the Mexican Congress (September 1, 1937) dealing with "The Rights of Women"
(As printed in "El Universal" on September 2, 1937)

(Translation by Inter American Commission of Women)

democratic content of our struggle and to collaborate in problems of a public nature, they forget that women and men in our country have suffered equally from the same deficiencies of education, the same lack of culture and training, and that man has not judged her with as much tolerance as that with

which he has judged himself when he took to himself unjustifiably rights and prerogatives.

"Let us bear in mind that when we realize the error that we were making by rendering women indifferent and treating them as something alien to the social struggle, and thus putting them in the hands of the enemy from which to build a bulwark against our national struggle, and when we resolved to take them into the body of our active life, in the field of teaching, in the administrative field, and when we opened to them the door of intellectual life, they responded and very soon equalled men in efficiency and industry. Let us remember their enthusiasm in the constant cooperation that they render to achieve the organization of labor; their earnestness and activity in spreading education and culture; their self-sacrifices in manual production of all types, no matter how trying and dangerous, and their generous comprehension in resolving domestic problems, the base of our family economy, and the secret of the well-being of the workers' families.

"For these reasons the Administration considers as just reparation the thorough rehabilitation of women by elevating them to the plane of equality with men, and it is for these reasons that I ask you to consider the steps necessary to bring about these reforms of the law."

Position Of Women In Hinduism And Vedicism

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Re INHERITANCE

1. No female is an heir unless she is expressly mentioned as such in the texts (S. 50).

2. As a general rule, at all events, women do not take absolute estates of inheritance which they are enabled to alienate (S. 323a). But when a male succeeds as heir, he becomes full owner of the property inherited by him (141 s.).

Re GUARDIANSHIP OF A MINOR

1. The following persons are looked upon as natural guardians of a Hindu minor in the order mentioned below: (1) the father; (2) the mother; (3) paternal relations; and (4) maternal relations (S. 430). [Thus the father is entitled to the custody of his minor child, however young it may be, in preference to the mother. Sometimes many a cruel-hearted father can tear a little baby, irrespective of its welfare, from the breast of its loving mother. But the Courts, having regard to the age, sex and circumstances of the child, exercise their discretion (as may be advantageous for its welfare) in allowing the child to be kept under the care and custody of its mother as long as its life is joined to that of its mother.—B. R.]

[Compare the Muhammadan Law, which is, in this respect, more humane and thoughtful for the well-being of minors, by entrusting their custody to the mother as the really first natural guardian, in preference to the father. According to the Muhammadan Law, the mother is entitled to be the guardian of her male children until they have attained the age of seven years, and of her female children until they have attained fifteen years. This right is not lost even though she might have been divorced by her husband.]

Re ADOPTION

1. A wife or a widow cannot adopt, unless she has received an express authority from her husband in that behalf (S. 367).

2. The father has an absolute authority also to give his son in adoption. Even if the mother objects, the father has still the right to give his son, in the eye of Hindu Law (Dr. Gour, S. 674).

As a tree can be recognized by its fruit, so the extent of the culture of any people can be determined by the legal status of their women. In the Hindu Law the rights of men are conserved with great care in all mat-

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A Feminist Thinks It Over

By ALMA LUTZ

ON NOVEMBER 12 we celebrate the birthday of one of our greatest American women, Elizabeth Cady Stanton.

We are indebted to her for so much, but particularly because she was a torch bearer for women. She saw far ahead when other women were cautiously taking their first steps of freedom. It was this quality which made her the moving spirit in calling the first Woman's Rights Convention in Seneca Falls, New York, in 1848, and gave her the courage to make, against the advice of her colleagues, the first public demand for woman suffrage.

In an era when women were weighed down and impeded by long skirts, many petticoats, and tight lacing, she eagerly adopted a reform costume, the Bloomer dress, and bravely wore it for several years in the face of condemnation and ridicule, hoping that she could influence other women to welcome a more comfortable fashion in dress.

She was one of the first women to plead for more liberal divorce laws.

After the Civil War when the campaign to enfranchise the negro began, she saw this as woman's great opportunity to win the ballot, and with Susan B. Anthony stood out against the great majority of men and women who insisted that this was "the negro's hour" and women must step aside.

She met Susan B. Anthony in 1852, four years after the first Woman's Rights Convention, and at once recognized her sterling qualities and latent ability. A warm friendship developed which turned Miss Anthony into a crusader for woman's rights and spurred Mrs. Stanton on to greater activity. For the rest of their lives these two women worked side by side for the emancipation of women, giving each other inspiration and encouragement.

In 1878 at the instigation of Mrs. Stanton, Senator Sargent introduced in the Senate an Amendment to the Constitution to enfranchise women. She and Susan B. Anthony saw far ahead of other women that woman suffrage by Federal Amendment was the goal to strive for, and from then on their National Woman Suffrage Association directed its energies to this end. Year after year the Amendment was reintroduced in the same form, but not until 1920 did it become the law of the land—too late for these two intrepid workers to see the fulfillment of their hopes.

Elizabeth Cady Stanton was often a trial to other woman-suffrage workers because her keen mind so quickly probed beneath the surface and saw the fallacy in all of the customs and traditions which limited woman's sphere. She always had the courage of her convictions and never failed to state them, fairly driving women to think about matters they were not quite ready to face. She saw so clearly that the Church's teaching regarding woman's subordinate sphere was holding women's minds in bondage, and plead with women to think the matter through and recognize that only man-made doctrines, not true religion, gave them an inferior rating. This roused much antagonism but startled people into thinking on the subject.

Independence of thought, self-respect, courage to enter new fields, loyalty to other women and recogni-

tion of women's contribution in building up this country, devotion to the ideal of freedom and no compromise—these were the qualities Elizabeth Cady Stanton held up to women. How better can we honor her than to follow in her footsteps!

Position Of Women In Hinduism And Vedicism

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ters, but it is a sad fact to know that there is no provision for the safeguarding of the rights of women.

From the beginning of a woman's life to its end, there is a series of difficulties and hardships. Even the minor details of her everyday life, such as eating, drinking, waking, sleeping, bathing, worship, outdoor exercise, etc., are so circumscribed as to leave her continually at the mercy of man, he claiming for himself, permanently, all the attributes and worship belonging to gods.

Of course, if through good fortune a woman is married to a man of kind disposition she may never suffer from these injustices, but otherwise, she is indeed in a very helpless and hopeless position. All of the weapons with which she might defend herself or fight her battles are in the hands of men, and her very hands are bound with shackles forged by men.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACT OF CONGRESS OF MARCH 3, 1933.

OF EQUAL RIGHTS, official organ, National Woman's Party, published semi-monthly at Washington, D. C., and printed at 406 W. Redwood Street, Baltimore, Md., for October 1, 1937.

District of Columbia: ss.

Before me, a Notary Public, in and for the District of Columbia aforesaid, personally appeared Helen Hunt West, who, having been duly sworn according to law, deposes and says that she is the Editor of EQUAL RIGHTS, official organ, National Woman's Party, Inc., and that the following is, to the best of her knowledge and belief, a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business managers are:
Publisher, National Woman's Party, Inc.
Editor: Helen Hunt West, 144 B Street, N. E., Washington, D. C.

2. That the owner is: (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding one per cent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a firm, company, or other unincorporated concern, its name and address, as well as those of each individual member, must be given.)
National Woman's Party, Incorporated, 144 B Street, N. E., Washington, D. C.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: (If there are none, so state.)
There are no stockholders. A non-profit organization, designed for educational purposes only.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the twelve months preceding the date shown above is:
(This information is required from daily publications only.)

HELEN HUNT WEST, Editor.
Sworn to and subscribed before me this 22nd day of October, 1937.

L. HOYT LAMB, Notary Public.

(My commission expires November 16, 1939.)